

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

WENDY WILLIAMS, :
Plaintiff, :
vs. : CA 09-0054-KD-C
GEORGE HARDESTY, :
Defendant.

ORDER

After due and proper consideration of all portions of this file deemed relevant to Wendy Williams' motion for leave to appeal *in forma pauperis*, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(3) is **ADOPTED** as the opinion of this Court. It is **CERTIFIED** that this appeal is not taken in good faith in that the plaintiff has failed to show that she has a non-frivolous issue to be presented to the Eleventh Circuit Court of Appeals. Therefore, Williams' motion for leave to appeal *in forma pauperis* (Doc. 25) is **DENIED**.

DONE this 19th day of October, 2009.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE